

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA

Plaintiff

-VS-

ALEJANDRO J. QUEZADA

Defendant

CASE NO. 5:10 CR 461

: ORDER ACCEPTING PLEA AGREEMENT
: AND JUDGMENT AND NOTICE OF
: HEARING
:

UNITED STATES DISTRICT JUDGE LESLEY WELLS

This case is before the Court on a Report and Recommendation filed by United States Magistrate Judge Kenneth S. McHargh regarding the change of plea hearing and plea agreement of Alejandro J. Quezada which was referred to the Magistrate Judge with the consent of the parties.

On 27 October 2010, the government filed a two-count indictment against Alejandro J. Quezada for conspiracy to distribute and possess with intent to distribute cocaine and cocaine base (crack cocaine) in violation of 21 U.S.C. § 846, and possession/distribution of cocaine and cocaine base (crack cocaine) in violation of 21 U.S.C. § 841(a)(1) and (b)(1)(B). On 2 November 2010, a hearing was held in which Alejandro J. Quezada entered a plea of not guilty before Magistrate Judge Benita Y. Pearson. On 20 January 2011, Magistrate Judge McHargh received Alejandro J.

Quezada's plea of guilty and issued a Report and Recommendation ("R&R") concerning whether the plea should be accepted and a finding of guilty entered.

Neither party submitted objections to the Magistrate Judge's R&R in the ten days after it was issued.

On de novo review of the record, the Magistrate Judge's R&R is adopted. Alejandro J. Quezada is found to be competent to enter a plea. He understands his constitutional rights. He is aware of the charges and of the consequences of entering a plea. There is an adequate factual basis for the plea. The Court finds the plea was entered knowingly, intelligently, and voluntarily. The plea agreement is approved.

Therefore, Alejandro J. Quezada is adjudged guilty of Count One in violation of 21 U.S.C. § 846.

Sentencing will be:

7 April 2011 at 9:30 a.m.

**Courtroom 16-B
16th Floor, United States District Court
801 West Superior Avenue
Cleveland, Ohio 44113**

IT IS SO ORDERED.

Dated:

February 4, 2011


UNITED STATES DISTRICT JUDGE